

REMARKS

Claims 1-20 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein. The amendments to the claims herein are fully supported by the application as originally filed and do not contain new matter.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-3, 5, 6, 9, 10, 12-14 and 16-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Shaver (U.S. Pat. No. 5,996,870). This rejection is respectfully traversed.

Independent Claims 1, 6, 12 and 16 are amended to recite, in part, a bicycle carrier adapted to be secured to an article carrier crossbar adapted to reside over a liftgate on a motor vehicle. The Shaver reference fails to disclose this structure. In contrast, the Shaver reference appears to disclose a bicycle rack mounted to a trailer hitch (Figure 1A) and not to a crossbar residing over a liftgate, as called for in the amended claims. As the Shaver et al. reference fails to disclose, or suggest, each feature of amended claims 1, 6, 12 and 16, the Shaver et al. reference fails to anticipate or render obvious amended claims 1, 6, 12 and 16. Therefore, Applicants respectfully request reconsideration and withdrawal of this rejection.

ALLOWABLE SUBJECT MATTER

The Examiner states that Claims 4, 7, 8, 11 and 15 would be allowable if rewritten in independent form. While Applicants thank the Examiner for recognizing the patentable

features of these claims, Applicants choose not to present these claims in independent form at this time. Further, Applicants note that these claims are allowable for numerous reasons in addition to the reasons set forth by the Examiner.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: Feb 3, 2004

By: 
Mark D. Elchuk, Reg. 33,686

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

BGS/kq